

Which state governments could lose or gain trifecta status this November?

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ON THE BALLOT

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Podcast Transcript

Pallay: Welcome to On the Ballot with Ballotpedia, where we connect people to politics by providing neutral, non-partisan and reliable information on our government, how it works and where it's headed. I'm Geoff Pallay, and thanks for being with us. We're gonna talk about state government trifectas. One of my favorite topics, a state government trifecta, if you don't know, occurs when one party holds the governorship, and majority is in both chambers of the state legislature.

Essentially, that means you have full control over your ability to pass legislation. Currently, there are 40 trifectas, 23 Republican and 17 Democratic, with the remaining 10 states having some form of divided government. 11 states are holding gubernatorial elections later this year, and 85 of the country's 99 state legislative chambers will hold elections as well, meaning there's quite a bit of shuffling that could potentially occur in the balances of power across the country.

We recently released one of our regular annual reports on the Trifecta Vulnerability Ratings. And I'm now joined by one of our team members who led the analysis, Joel Williams. Joel, always good to see you. Thanks for coming on.

Williams: Yeah. Thanks for having me, Geoff.

Pallay: It's July, summer's almost ending, isn't it? My goodness, where does a year go?

So, uh, we've talked about trifectas forever. Uh, you and I, uh, we've been working on trifectas together for probably more than a decade now. Why does the trifecta status even matter? What are the implications of having one party control over the three major branches of a government? So tell, tell the listeners a little bit about trifectas and why they matter.

Williams: Yeah. So you touched on it a bit in the intro. Um, it's obviously much easier to pass the legislation that your party wants when you have both chambers of the legislature to pass it and a governor to sign it. Um, you know, if there's listeners

in like Kentucky or North Carolina, they might recognize their state, see a lot of gubernatorial vetoes because they have a democratic governor and a Republican state legislature.

Um, and so, you know, in North Carolina's case, they can kind of get around that with veto overrides. Um, but those require more votes usually in just simple majorities.

Pallay: Except Kentucky. It's one of the craziest states. They just, they can override that veto with a simple majority. It's one of those rare, unique elements of the state chamber.

Williams: So, um, you know, it, it avoids all the like, the gubernatorial conflict stuff when you have a trifecta. And then, if your legislative chambers are split between parties, which, I don't think we have any of those anymore, um, but those were also a situation where it's just really hard to pass anything. Like at the U S level, for instance.

Pallay: Well, you just hit it on the next topic, which is that trifectas are more common than ever before. And, and so are united legislative chambers, you might say, um, you know, oftentimes, uh, the focus is on Congress and people will say, well, you know, we want to have a divided Congress, Senate controlled by one party in the House controlled by another.

That's kind of been a prevailing, uh, sort of political thought for a long time, but at this, in the state legislatures, uh, we're, we're now at the point where, like you're saying that there aren't any divided chambers anymore. Uh, there used to be a lot more, uh, and there are a lot more trifectas now than ever before, right?

Williams: Right. Yeah. So I think Minnesota was the last divided legislature there was that, and, uh, that went democratic in 2022. So we don't have any more of those. Um, but yeah, so I looked and as far back as 2002, which sounds like it wasn't that long ago but it was somehow 22 years ago at the same time. Yeah, um,

there were 30 states with divided governments And the big change came around the 2010 midterms.

Um, people remember there was like the red wave in Obama's first midterm Um, and that one ended up with 22 republican trifectas 11 democratic ones and then 17 divided governments And so the numbers have changed a little bit over time, but there are definitely less and less divided governments as we go along.

Pallay: That's amazing. So in 2002, 30 states had divided governments. I mean, it's, it's, you see this as well, the presidential election today, where, you know, most analysts would say there's like six or seven states that will decide the presidential election and the other 43 are just kind of getting ignored because they're a definitive D or a definitive R.

And so you, you kind of see the same thing with trifectas that were, you know, one party is controlling those governments, those states, and the minority party is, well, they're just doing what they can. Um, so yeah, that's, that's been quite a flip over the years. So how often do trifectas change? Obviously we've seen a great deal of increases in the number of trifectas in general, but how often do trifectas get broken? How often do we see divided governments, you know, move to trifectas? Do they ever, you know, do we see states that flip between D trifecta to R trifecta to divided. I mean, what's been the status? We've been tracking this pretty close since 2010, what have we seen over that time period?

Williams: Yeah. So since then we've tracked 80 total changes, which over 12 years as well, like six-ish a year.

And there's obviously like some spike years and some not so spike years. Uh, most recent one was Louisiana in 2023. That changed from divided to Republican trifecta with the gubernatorial election there. Um, and then the most recent other even year was 2022, and in that one, Democrats gained four trifectas. They lost one to a divided government, and the Republicans also lost one to divided government, so, um, yeah, I would say the trend is more towards, um, divided governments

becoming trifectas, because there's usually like, um, we can use Arizona as an example, even though they don't have a gubernatorial election this year, they have a Democratic governor and a Republican legislature. So that one, Republicans are really focused on winning the one election to flip it. Um, whereas for Democrats, they're having to win several down-ballot races to kind of change that to a trifecta in their favor.

Pallay: Yeah. Yeah. All those long-term, uh, impacts those elections. Um, so let's talk a little about our report, um, the report we recently published and we've published these for almost a decade now, uh, where we, we specifically are trying to identify where states might see a new trifecta and where states might lose a trifecta.

So we call it our trifecta vulnerability report, meaning it's vulnerable to becoming one or it's vulnerable to losing one. Um, so tell us a little bit about what, what's the methodology that we, we have behind that because it's, um, we've used the same methodology for several years. Try to keep it very consistent.

Um, so how does it all work? How do we put that together?

Williams: Yes. I think just one thing to clarify before we get into it is I don't want people to confuse these for like what would be more traditional race ratings, like some outlets do where it's like “toss-up” or like “lean Dem” or those sorts of things. Um, so that's not really what this report is.

This report is mostly saying like, “Hey, based on like raw math numbers and what we've seen traditionally over time, like how many seats tend to change year over year. Like this number means that it's technically possible, um, for it to change.” And so like our best and our best case scenarios are both parties on the analysis report kind of reflect that where you'll see some like best case Republican scenario for Washington is Republican trifecta, um, which, you know, it might not sound realistic, but is a thing that could, you know, theoretically happen.

Um, so vulnerable in general, as it comes to the report, just means there's some chance that the state's trifecta status could change. Um, we put varying degrees of vulnerability in there, which I know we'll get to in a little bit, because you know, at a base level, there's states like Hawaii where they have, I want to say two Republican state senators in their entire chamber and there's 12 seats up. So they would need to win something like 11 of the 12 seats up to get a majority. And that's just not realistic. So we don't consider them vulnerable, but there are varying degrees. Basically from that point up on the vulnerability scale, um, that we use for the report.

Pallay: Yeah. So we, we see, uh, credential factors that stake in 44 states and we use this vulnerability scale to evaluate them. Um, so what are, what's this rating scale that we use? Um, there's, there's points, there's zeros, ones, twos, threes, fours. Uh, what are those various, uh, buckets and criteria we use to get at the ratings?

Williams: Yeah. So for each of the office types, that's governor State Senate and State House, we assign it points on a zero to two scale, um, based on whether or not it could realistically change party hands.

Um, so for gubernatorial elections, it's pretty straightforward. We just take the aggregator base ratings from like Cook Political Report, um, Inside Elections, similar folks who had on this program before and we just look and say, okay, if it's toss-up, it gets two points. If it's lean, it gets one point. And if it's safe, it gets zero points. Um, for state legislative elections, it's a little bit different. Um, this is where we just work with the raw numbers and we say, okay, if one party needs X number of seats to change hands, to get a majority, we take that, divide it by how many seats are up, and get a percentage. And so, based on that, we give them the 0 through 2. Um, and then so, if a state score is 5 or 6, we consider it highly vulnerable. 3 to 4 is moderately vulnerable. And then 1 to 2 is somewhat vulnerable. And 0 is like, you know, not at all. Um, and so that's, if the state has all three things up for election, if they don't, we kind of scale it down from there. So

like, if it's just the state legislature, highly vulnerable becomes three to four and it goes kind of down and on from there.

Pallay: Yeah. Yeah. And, you know, we know from covering these elections for more than a decade now that there are a lot of people, really are very few seats that change hands every year. I think the most, um, incumbents to be defeated in a general election was something like a little more than 500 in 2010. Um, but we're talking about 500 out of 6500 that are up for election every year so the percentage of incumbents who lose is very, very small. Uh, so the, the likelihood of seats flipping is very small, which is one of the reasons why we, we factor in the raw number of seats that are up right now.

So let's talk about the ones that we have highly vulnerable right now. What are we seeing this year? What are the, what are the states that according to our formula, according to this report, uh, would be considered highly vulnerable for the Republicans, for the Democrats?

Williams: So for Democrats on a report, we have Oregon marked as highly vulnerable. I know it has a reputation, especially in the media, it's like a very deep blue state, but it's a legislature is relatively close. Um, so this is highly vulnerable because in the Senate, Democrats have a five-seat majority, and based on how many seats are up, that's basically like below our threshold to be a two-point vulnerability. And kind of the same thing in the house, but just a little bit less. So they have a nine seat majority there. Um, so yeah, that's kind of how we came to Oregon, um, in terms of Texas and New Hampshire, um, New Hampshire has a gubernatorial election that's a toss-up, so that one is up in the air and Republicans hold that one right now. Um, and then they've got a 14-10 majority in their state Senate. Um, so that's a really small number of seats needed to flip to change that one. Um, and you know, the New Hampshire house as well as I do, it kind of throws all the usual logic of a state legislature out the window. It's got 400 seats. I think the Republican majority is down to like five right now or four right now.

Um, and that one just changes so often, like it's, it feels, I know it's not every two years, but it feels like it's every two years that it changes, you know, it'll go, it'll just swing wildly, just kind of,

Pallay: Well, New Hampshire is one of the states, uh, that has actually gone D trifecta, divided, and R trifecta in the last 20 years.

I think Maine is like that as well. So there are, you know, there are states like Utah and Hawaii that have been single party rule for 20 years. Then there are states like New Hampshire and Maine that kind of cycle to cycle, uh, voters might go one way or the other.

And again, just to sort of repeat something that we've said on the show already, these are not predictions. This is not us saying we think that one of the states is going to change. This is just sort of looking at the math, um, what could happen if a handful of seats flipped. And Oregon, you know, again, to your point, there was a time where it was a Republican-controlled Senate, not too long ago. Um, so yeah, you know, there, there's the sort of national sense of the state and there's, you know, what happens, um, down at the statewide level.

Williams: Yeah. And Texas is kind of the mirror of Oregon, but in the other direction. So they've got Republican legislatures, but they're not as, I think they're not as big of a majority as like you would think it's just like some cultural knowledge you picked up from the news media, right?

Pallay: Well, yeah, and I think in uh 2010 Uh something like a three-seat majority for Republicans at the time something like 77 to 74. Some number like that headed into the 2010 election. So again, not so long ago, you know, a state like, uh, Texas, what was pretty close.

Williams: And whenever you have only—

Pallay: yeah, go ahead.

Williams: Oh, sorry. One other thing to consider with Oregon too, is this is an interesting election year. I don't know if it's been touched on, on this program, but they had all of those legislative walkouts over the last like two sessions. And, uh, so a bunch of the Republican senators aren't allowed to run for reelection because they missed too many legislative days.

Pallay: And that's actually a great piece of context that relates to, you know, the, the way that we approach this trifecta vulnerability report. You know, technically, if we included some of the subjective information like that, it would, it would probably weaken the vulnerability of a state like Oregon because incumbents are more likely to win reelection.

We see that every cycle. And if in Oregon, uh, larger percentage of Republican incumbents, the usual are not running that it's makes it even less like they would win more seats to flip. Um, but again, this, the, the report that we're doing and what we're putting it, it's just sort of a, it's an objective numbers-based report that's just meant to provide information to understand the landscape of what seats are up.

Williams: Yeah, exactly.

Pallay: So, uh, let's talk a little about more, the more secure trifecta. So Democrats have six more with three being moderately vulnerable and other three that we are, uh, flagging as somewhat vulnerable in our report which is a change is less likely. So, so what are you seeing in these states?

Williams: Yeah. So in all of those six States, it's all down to the legislative elections. Um, so Minnesota, Michigan, and Maine have pretty narrow democratic majorities in at least one of the chambers. Um, not included in the report, but something else to consider is, uh, Minnesota only has house elections this year, but they have one special election for their state Senate.

That's going to be at the same time. And that one's going to determine control of that chamber too. So that didn't make it into the report. If it did, we'd probably

bump it up a notch on the vulnerability scale. Um, but that's just something for listeners to know about.

Pallay: Yeah. And a couple of those states like Michigan is one where that, that chamber flipped in the last election. So, you know, what we often look for in state legislative elections is, you know, cycle to cycle when one chamber flips. What happens in the next cycle? Are voters happy with the, the newly elected new party that's in power, in which case they ended up maybe growing in majority, or do you come back and see voters say, Hmm, media really liked what we actually picked last time around, we're going to flip back again. And we see that nationally.

Williams: Yeah, Michigan and Minnesota are actually great examples of what we talked about earlier with like, what is the outcome of a trifecta, like a change and, um, you know, if you've been listening to stuff in like Michigan, they passed a bunch of legislation, um, with a new democratic trifecta.

Um, and then since he's been in the news a lot lately, Tim Walz, the governor of Minnesota, you know, they passed, you know, things like universal school lunch that they hadn't been able to pass before, and some other policy issues that they've been working on. Um, just with one vote majority trifectas.

Pallay: Yeah. All this stuff really matters about my favorite story lately that has been out of Arizona. Um, yeah. Listeners of this podcast know that we talk a lot about ballot measures. And in Arizona, they have more than a dozen legislatively referred ballot measures this year. And this is politics playing out over the long term. The reason why they have a dozen legislatively referred ballot measures in Arizona this year is precisely because in 2022, they lost their Republican trifecta status. Because the Democratic Party won the governorship in Arizona in 2022, that meant that they had veto authority over bills from the Republican legislature.

While in Arizona, like in most states, the State Legislature can refer things to the ballot without the governor's signature. So if the state legislature says, we've got a

bunch of bills we want to pass, but we can't get the governor to sign them, now, instead, they're going to refer them to the ballot and put them before voters.

So you could, you could kind of make the case that if Republicans had won the governorship 2022, you probably would have seen maybe two ballot measures this year in Arizona, instead of 12. So these are the kind of like really long term stories that play out with respect to elections and why all this stuff matters with trifectas. So it's always interesting.

So let's talk a little bit, Joel, then about, um, the Republican, uh, vulnerable, moderate, and sort of slightly moderate, uh, trifectas. What are we seeing over there in places like Georgia and Iowa?

Williams: Yeah, so those two are on our list, primarily down to how many seats, it's just a math problem. So it's how many seats are up, and how many of those Democrats would need to win, um, in Georgia they're pretty small numbers, um, in Iowa the House is a pretty small number, but then the Iowa Senate Democrats need to win like, I think almost half the seats that are up for election, so that one, isn't very vulnerable. Um, but that put it on our list anyway.

Pallay: And again, you know, the downstream impact of, you know, the coattails, the presidential election is going to matter with all of this. Um, we've got still a long way to go in this election. So who knows.

Williams: It wasn't, but what, eight years ago that, um, a Democrat won Iowa, two presidential elections in a row. So there's always, you know, anything can happen.

Pallay: Oh, there's, there's quite a bit less split ticket voting, uh, than there used to be, which to your point earlier about the number of, uh, divided governments versus trifectas today. So, okay. So overall, the vast majority of Republic trifectas are rated as, um, are not rated as vulnerable.

So 19 of them, is there anything to make of that? Um, what do you see in terms of, uh, the stability, I guess you might say of trifectas right now? Because it doesn't seem like, you know, maybe there will be fewer than 40, maybe it'd be 35, but like, it's, it's not like we're seeing 15 trifecta that might get broken up the cycle. We would, we would be pretty surprised by it, I think, if that happens. So, um, but what's kind of the observation of the data there?

Williams: Yeah. So because we use the mathematic formulas for state legislatures and because we use the race ratings for gubernatorial elections, those probably aren't going to change at all in terms of the report and like our vulnerability ratings.

Um, you know, there was some speculation over whether, like, I think it was a former U. S. Senator from Indiana could jump into that gubernatorial election and he didn't. So like, that could have changed things, or I think Joe Manchin can still technically file the front for governor of West Virginia, if he wanted to as an independent, um, you know, that would shake things up for that vulnerability maybe. Um, yeah, I would say anything that's listed as not vulnerable at this point is pretty much, that's what it's going to be. Yeah.

Pallay: Okay, so 40 trifectas. I guess there's theoretically a world in which there are 49 trifectas. I mean, there, there is a, there's a, there's a roadmap where someone could like plug in. You know, sort of scenarios and, and get there. So we're seeing, of the divided governments, technically nine of them could become trifectas one way or the other. So what does the data look like in terms of the status and state of divided?

Williams: Yeah. So I, I would have to double-check our report. Um, they don't have open right now, but I think pretty much everything, but Virginia, which doesn't hold even year elections is like on the table pretty much.

Um, yeah, so on our list, if I was ranking them, I would say Alaska is probably the most likely of any of them to be a trifecta. Republicans have the governorship and it's not up for election. Um, and they actually hold numerical majorities in both

legislative chambers. But over the last, I think it's four years now, there's been like a, there's been like, it comes and goes kind of in waves, but there's a power-sharing agreement between like some number of Republicans and then all the Democrats and independents in both of those chambers to have like a bipartisan coalition.

And so we don't count them as a Republican trifecta, even though they have the numbers for it. Um, so they would have to do kind of what happened in the New York Senate a couple cycles ago, where the Democrats eventually won enough seats to like, get rid of the people they were working with on the Republican side, um, and have like an outright majority, so, um, yeah, Republicans would need to do that in Alaska, but that one, I think, is the most likely.

Um, And then North Carolina and Vermont are the other two that we've got our eyes on. Uh, so North Carolina's gubernatorial race is a toss up and Democrats hold it. And the Republicans have, uh, veto proof super majorities in both chambers of the legislature. So if Republicans win that gubernatorial election and hold on to their majority, they could get a trifecta there.

Um, and then Vermont is kind of a mirror of that in the other direction. So they've got a Republican governor. Um, and that's a toss up election and then Democrats have majorities in the legislature. So they're trying to just win that gubernatorial election to get the trifecta there.

Pallay: Yeah. It's always a really interesting, uh, climate and landscape to follow because the results of these elections, uh, really they dictate what's going to happen in the upcoming spring sessions. Well, great. Trifectas. Uh. We'll be writing about these throughout the, uh, the rest of the fall. Uh, how, how do folks, uh, follow along with our trifecta work on ballotpedia work, where can they go to read more about this?

Williams: Yeah, so we've got our page just called state government trifectas. That's probably the best resource for it. Um, it's got links to all of our, like our historical content, all of our like new this year sort of content. Um, and then as the election

gets closer, we'll be launching all of our analysis projects for that, one of which is trifectas. We'll have a page that's updated pretty much every time there's a race call on election night as soon as an office is called for a trifecta we'll update that and then obviously if stuff changes throughout the year like if a governor wants to suddenly switch political parties we'll update that too, um, and update all of our trifecta coverage that folks can check out.

Pallay: Awesome. Joel, thanks so much for coming on the show. It was great to see you. Yeah, thanks for having me. And for our listeners, you can learn more about our trifecta coverage at the link in our show notes. We'll be back next week with another episode. Make sure you subscribe to On The Ballot wherever you listen to podcasts. I'm Geoff Pallay, and thanks for listening.